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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

IN RE: SOCIAL MEDIA ADOLESCENT  
ADDICTION/PERSONAL INJURY PRODUCTS  
LIABILITY LITIGATION

THIS FILING RELATES TO:

ALL ACTIONS

MDL No. 3047

Case No. 4:22-md-03047-YGR

Honorable Yvonne Gonzalez Rogers

**OMNIBUS STIPULATION REGARDING  
SEALING JOINT LETTER BRIEF  
REGARDING PRIVILEGE  
DETERMINATION IN CONNECTION  
WITH DEPOSITION OF MIKI  
ROTHSCHILD**

Pursuant to Civil Local Rules 7-11 and 79-5 and this Court's Order Setting Sealing Procedures (Dkt. 341), Plaintiffs, and Defendants Meta Platforms, Inc. f/k/a Facebook, Inc.; Facebook Holdings, LLC; Facebook Operations, LLC; Facebook Payments, Inc.; Facebook Technologies, LLC; Instagram, LLC; and Siculus, Inc. (collectively, "Meta") submit this Omnibus Stipulation Regarding Sealing Joint Letter Brief Regarding Privilege Determination in Connection with Deposition of Miki Rothschild.

The Parties agree that the following filings related to the Joint Letter Brief should be sealed in their entirety, and so the current sealing should be maintained:

Filing	Portion to be Sealed	Basis for Sealing
Meta's Exhibit A  Original Bates: META3047MDL-035-00002871  Re-production with Redactions: META3047MDL-085-00000104  ECF 1376-5	Entire exhibit	For the reasons explained in the accompanying Declaration of Max Eulenstein, the information contained in this exhibit is proprietary, confidential, and would cause Meta competitive harm if disclosed. At this procedural posture, there is good cause to seal. <i>See, e.g., Ctr. for Auto Safety v. Chrysler Grp., LLC</i> , 809 F.3d 1092, 1097 (9th Cir. 2016) (even under heightened compelling-reasons standard, it is appropriate to seal "business information that might harm a litigant's competitive standing" (cleaned up)); <i>In re Elec. Arts, Inc.</i> , 298 F. App'x 568, 569 (9th Cir. 2008) (sealing "confidential and commercially sensitive information"); <i>Prescott v. Reckitt Benckiser LLC</i> , 2023 WL 2465778, at *4 (N.D. Cal. Mar. 9, 2023) (sealing "household penetration rates" and defendant's "target consumer demographics"); <i>Cont'l Auto. Sys., Inc. v. Avanci, LLC</i> , 2019 WL 6612012, at *4 (N.D. Cal. Dec. 5, 2019) (sealing "number of customers using Plaintiff's products"). This Court has previously granted requests to seal materials related to discovery disputes on this fundamental basis. <i>See</i> ECF 1338.  No party has previously sought to seal this document.
Meta's Exhibit C  Original Bates: META3047MDL-073-00001477	Entire exhibit	See above basis regarding competitive harm.

1	Re-production with Redactions: META3047MDL- 085-00000211		
2	ECF 1376-9		
3	Plaintiffs' Exhibit A	Entire exhibit	See above basis regarding competitive harm.
4	META3047MDL- 085-00000104		
5	ECF 1376-12		
6	Plaintiffs' Exhibit B	Entire exhibit	See above basis regarding competitive harm.
7	META3047MDL- 085-00000211		
8	ECF 1376-13		
9	Plaintiffs' Exhibit F	Entire exhibit	This exhibit reflects a third-party employee's performance evaluation. As a result, there is good cause to seal it to protect the employee's privacy interests. <i>See, e.g., See, e.g., Doyle v. Galderma, Inc.</i> , 2021 WL 4926999, at *1 (N.D. Cal. Apr. 27, 2021) (sealing "performance-management and personnel records of third parties" because it would violate their "privacy interests"); <i>see also, e.g., Murphy v. Kavo Am. Corp.</i> , 2012 WL 1497489, at *1 (N.D. Cal. Apr. 27, 2012) (granting motion to seal "employee-identifying information" because "[e]mployees and former employees who are not parties to this litigation have privacy interests in their personnel information, and in other sensitive identifying information") (Gonzalez Rogers, J.); <i>see also, e.g., Am. Auto. Ass'n of N. California, Nevada &amp; Utah v. Gen. Motors LLC</i> , 2019 WL 1206748, at *2 (N.D. Cal. Mar. 14, 2019); <i>Opperman v. Path, Inc.</i> , 2017 WL 1036652, at *4 (N.D. Cal. Mar. 17, 2017); <i>Hunt v. Cont'l Cas. Co.</i> , 2015 WL 5355398, at *2 (N.D. Cal. Sept. 14, 2015).
10	META3047MDL- 031-00265655		
11	ECF 1376-17		
12			No party has previously sought to seal this document.
13	Plaintiffs' Exhibit I	Entire exhibit	See above basis regarding employee performance evaluations.
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META3047MDL-031-00117511		
ECF 1376-20		

The Parties agree that the following filings related to the Joint Letter Brief should be partially redacted, and so the current sealing should be modified:

Filing	Portion to be Sealed	Basis for Sealing
Joint Letter Brief Regarding Privilege Determination in Connection with Deposition of Miki Rothschild  ECF 1375	Employee names	There is good cause to seal that information. <i>See, e.g., Murphy v. Kavo Am. Corp.</i> , 2012 WL 1497489, at *1 (N.D. Cal. Apr. 27, 2012) (granting motion to seal “employee-identifying information” because “[e]mployees and former employees who are not parties to this litigation have privacy interests in their personnel information, and in other sensitive identifying information”) (Gonzalez Rogers, J.); <i>see also, e.g., Am. Auto. Ass’n of N. California, Nevada &amp; Utah v. Gen. Motors LLC</i> , 2019 WL 1206748, at *2 (N.D. Cal. Mar. 14, 2019); <i>Opperman v. Path, Inc.</i> , 2017 WL 1036652, at *4 (N.D. Cal. Mar. 17, 2017); <i>Hunt v. Cont’l Cas. Co.</i> , 2015 WL 5355398, at *2 (N.D. Cal. Sept. 14, 2015). Sealing these names is also consistent with the approach the Court took in sealing names of Meta employees in the Personal Injury Plaintiffs’ Master Complaint and the multistate Attorney General Complaint. <i>See</i> Dkt. 189; Case No. 4:23-cv-05448-YGR, Dkt. 77.  No party has previously sought to seal this document.
Plaintiffs’ Exhibit B  META3047MDL-085-00000211  ECF 1376-13	Employee names and email addresses	See above basis regarding employee names.
Plaintiffs’ Exhibit D  META3047MDL-014-00322677  ECF 1376-15	Employee names and email addresses	See above basis regarding employee names.

1 2 3 4 5	Plaintiffs' Exhibit E  META304 7MDL-020- 00530218  ECF 1376-16	Employee names and email addresses	See above basis regarding employee names.
6 7 8 9	Plaintiffs' Exhibit G  META3047MDL- 047-00766939  ECF 1376-18	Employee names and email addresses	See above basis regarding employee names.
10 11 12 13	Plaintiffs' Exhibit H  META3047MDL- 020-00668988  ECF 1376-19	Employee names and email addresses	See above basis regarding employee names.
14 15 16 17	Plaintiffs' Exhibit J  META3047MDL- 014-00356610  ECF 1376-21	Employee names and email addresses	See above basis regarding employee names.
18 19 20 21	Plaintiffs' Exhibit K  META3047MDL- 031-001 74004  ECF 1376-22	Employee names and email addresses	See above basis regarding employee names.

22 Documents without privilege redactions were never filed on the docket (and instead were lodged  
23 with the Court for *in camera* review). As a result, unsealing the excerpts redacted for privilege is not at  
24 issue currently. If the Court determines that any portion of the privilege redactions should be removed,  
25 Meta respectfully requests the opportunity to file a separate motion or stipulation, as appropriate,  
26 addressing whether sealing those excerpts is warranted. Meta respectfully requests 14 days to make that  
27 determination, or until January 10, 2025 (one full week into 2025), whichever is later, to account for the  
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1 intervening holidays.

2 Pursuant to this case's sealing procedures, a Proposed Order implementing this stipulation and a  
3 copy of the filings with the redactions agreed by the Parties listed above are attached.

4 **IT IS SO STIPULATED AND AGREED.**

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6 DATED: December 16, 2024

Respectfully submitted,

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**ATTESTATION**

I, Ashley M. Simonsen, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: December 16, 2024

By: /s/ Ashley M. Simonsen  
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